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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/642,916	08/21/2000	WILLIAM L. REBER	MNE00367-D01	8634
22917	7590	07/29/2004	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			CHUNG, JASON J	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/642,916

Applicant(s)

REBER ET AL.

Examiner

Jason J. Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 18-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are non-functional descriptive material stored on a disk. There is no processing of information taking place on the disk, but rather the claim is just images stored on a disk.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Newton (US Patent # 3,497,807) in view of Lippman (US Patent # 4,496,972) in further view of Dainty (US Patent # 5,434,614) in further view of Murakami (US Patent # 5,131,311).

Regarding claims 18-20, Newton discloses satellites used for meteorology, navigation, and communication (column 1, line 48-55). Newton discloses the satellites observing the earth may lie on different planes (column 1, line 56-column 2, line 7). Newton discloses the satellites can use two possible situations in communicating information to the earth (column 2, lines 28-

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35). Newton discloses the satellites use cameras to obtain the images of the earth (column 9, lines 27-62). Newton discloses any satellite may send a message at any time (column 8, line 72-column 9, line 26). Newton discloses the first situation relays the signals to each satellite in the same plane until it reaches the intended satellite (column 2, lines 36-64), which meets the limitation on a first image of a first region of earth from a first satellite viewpoint and a second image of a second region of earth from a second satellite viewpoint. Newton fails to disclose lower altitude viewpoints.

Lippman discloses an airplane has an image sensor (camera) obtains aerial image sequences (column 2, lines 48-62), which meets the limitation on a first wide-angle image of a first region of earth from a first lower-altitude viewpoint and a second wide angle image of the second region of earth from a second lower altitude viewpoint both from an aircraft in flight. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Newton to have lower altitude viewpoints as taught by Lippman in order to have a closer perspective of earth thereby providing a different perspective of the earth.

Neither Newton nor Lippman discloses a terrestrial viewpoint.

Dainty discloses the still camera can be tilted in the downward direction (column 3, lines 14-20). Dainty discloses the still camera taking aerial still photographs can be mounted on the video camera (column 2, lines 10-31), which meets the limitation on a first terrestrial image of the first region of earth from a terrestrial viewpoint and a second terrestrial image of the second region of earth from a terrestrial viewpoint. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Newton in view of Lippman to have a

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terrestrial viewpoint as taught by Dainty in order to have a perspective of the earth from the ground thereby providing a different perspective.

Neither Newton, Lippman, nor Dainty discloses all images being stored on a CD with text descriptions where they all are compared.

Murakami discloses CD's with words and images stored on it being displayed on a monitor (column 3, lines 49-60), which meets the limitation on all images being stored on a CD with text descriptions where they all are compared. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Newton in view of Lippman in further view of Dainty to have all images being stored on a CD with text descriptions where they all are compared in order to provide more descriptive information of the pictures. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Newton in view of Lippman in further view of Dainty to have all images being stored on a CD with text descriptions where they all are compared in order to provide a description of the pictures to the deaf community in the event the images are video images with audio.

Neither Newton, Lippman, Dainty, nor Murakami discloses text descriptions being historical information.

The examiner takes Official Notice that modifying displayed text corresponding to images is notoriously well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Newton in view of Lippman in further view of Dainty in further view of Murakami to have text descriptions being historical information or any other information in order to provide a variety of different descriptions of the pictures.

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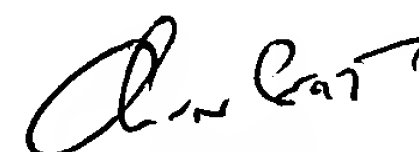
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason J. Chung whose telephone number is (703) 305-7362. The examiner can normally be reached on M-F, 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JJC


CHRIS GRANT
PRIMARY EXAMINER